

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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EXPORT DEVELOPMENT CANADA,

Plaintiff,  
vs  
6:08-CV-1000

VINCENT AMATO; PIONEER WINDOW MFG.  
CORP; PIONEER WINDOW HOLDINGS, INC.;  
PIONEER WINDOWS, INC.; VJA  
MANUFACTURING, INC.; and JOHN DOES  
1 THROUGH 10,

Defendants.

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PIONEER WINDOW MFG. CORP. and  
PIONEER WINDOWS, INC.,

Third-Party Plaintiffs,  
vs

TRULITE INDUSTRIES, LTD. and  
GEORGE A. FULLER COMPANY, INC.,

Third-Party Defendants.

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APPEARANCES:

SHEATS & ASSOCIATES, P.C.  
Attorneys for Plaintiffs and  
Third-party Defendant Trulite Industries, Ltd.  
PO Box 820  
9650 Brewerton Road  
Brewerton, NY 13029

OF COUNSEL:

EDWARD J. SHEATS, ESQ.

CHARLES R. PIERCE, JR., ESQ.  
Attorneys for Defendants Vincent Amato,  
Pioneer Window Mfg. Corp.,  
Pioneer Window Holdings, Inc.,  
Pioneer Windows Inc. and VJA Manufacturing, Inc.  
64 East main Street  
Huntington, NY 11743

DelBELLO DONNELLAN WEINGARTEN  
WISE & WIEDERKEHR, LLP  
Attorneys for Third-Party Defendant,  
George A. Fuller Company, Inc.  
The Gateway Building  
One North Lexington Avenue  
White Plains, NY 10601

DAVID N. HURD  
United States District Judge

PATRICK M. REILLY, ESQ.

**DECISION and ORDER**

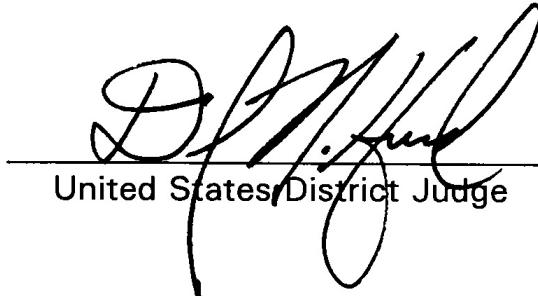
Pursuant to the oral decision of the Court, entered into the record after hearing  
oral argument on July 9, 2009, in Utica, New York, it is hereby

ORDERED that

1. Third-party defendant George A. Fuller Company, Inc.'s motion to dismiss is  
GRANTED and the claims as against George A. Fuller Company, Inc, are DISMISSED.

The Clerk of the Court is directed to enter judgment accordingly.

IT IS SO ORDERED.



United States District Judge

Dated: July 9, 2009  
Utica, New York.